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January 13, 2021

Via ECF

Hon. Leda Dunn Wettre
United States Magistrate Judge
United States District Court, District of New Jersey
50 Walnut St., Room MLK 3C
Newark, NJ 07101

Re: Lara, et al., v. Puff Bar, et al., Case No. 2:20-cv-08030-JXN-LDW

Dear Judge Wettre:

Pursuant to this Court's Amended Scheduling Order, dated October 19, 2021 (ECF No. 72), Defendants Puff Bar, Patrick Beltran, and Nick Minas (collectively "Puff Bar Defendants") submit this brief status letter.

The parties have exchanged, and responded to, written discovery demands; additionally, both sides have produced documents consistent with these written requests and responses. At this point, the Puff Bar Defendants believe they have satisfied their obligations.

Depositions have not yet been noticed by either side. Plaintiff's counsel informally requested Puff Bar Defendants to provide dates for depositions of their witness, but did not identify any topics for the depositions as required under Fed. R. Civ. P. 30(b)(6) or identify which witnesses they sought.

Additionally, and relevant to the Puff Bar Defendants' position on how discovery should proceed, on November 17, 2022, Plaintiff filed a motion for leave to file a third amended complaint. (ECF No. 73). The Puff Bar Defendants objected to Plaintiff's motion on several grounds, including that Plaintiff seeks to add numerous parties to this case at a late stage when written discovery between the parties essentially has been completed. (ECF No. 74). Thus, although Plaintiff requested deposition dates, new parties that could be added pursuant to Plaintiff's pending Motion to Amend would be entitled to a full discovery period, including an opportunity to depose Puff Bar's witnesses. For that reason, the Puff Bar Defendants' position is that no depositions should occur prior to resolution of Plaintiff's motion—otherwise, witnesses for the Puff Bar Defendants would be required to sit for depositions now and then once again should Plaintiff's motion be granted and these additional parties enter this case.

Counsel for the Puff Bar Defendants is prepared to discuss these issues and positions at the telephonic conference with the Court on January 20, 2022, at 2:30 p.m.

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Respectfully submitted,

s/ *Brian Keahi Steinwascher*

Brian Keahi Steinwascher

*Counsel for Defendants Puff Bar, Nick Minas,
and Patrick Beltran*

cc: All Counsel of Record via ECF
